

Life and Character

OFTHE

Late Lord Chancellor

JEFFERYS.



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INTRODUCTION.

HERE is a very wide Difference between some Part of the Account here given of Chancellor Jefferys, and many other Accounts that we meet with concerning him: Some of these, after admitting him to have been Guilty of all the Vices that are here enumerated, do yet infift that he was nevertheless a good Chancellor, and as a Proof of it they alledge, that none of his Decrees were ever reverfed, and but very few of them appealed against; and they particularly mention the Decree made by him, in Favour of his Son against the Earl of Pembroke; against which, when an Appeal was brought foon after the Revolution, and every Thing was heard greedily that tended to impeach the Chancellor's Integrity; yet the Decree stood its Ground, notwithstanding the powerful Interest of that noble Family against it.

As for this particular Case, it can be to no Purpose to produce it as an Instance of the Chancellor's Integrity because, for ought appears to the contrary, the Decree was sounded upon just and equitable Principles: Nay, it is a manifest Proof that this Decree was just and equitable, because the House of Lords did not think sit to reverse it; no Wonder therefore, that a just Decree, tho' made in Favour of a Son, should remain inviolable. To break thro' such a Decree would have been the Height of Injustice.

Besides, if the Fact was true, that none of his Decrees were ever reversed, and but sew of them appealed against, which I am not certain of; yet that would be no convincing Evidence of his being a good Chancellor, for the bringing of Appeals was not a Thing very usual in those Days: They were then seldom brought but in Causes of the highest Consequence. The Sitting of our Parliaments was at that Time very uncertain; but since we have had a regular Session every Winter Appeals have been more frequent, and Time and Experience have

have reduced the bringing them under much better and easier Regulations.

But farther, if the Bringing of Appeals against a Lord Chancellor's Decrees, was to be allowed of as a Proof of the Goodness or Badness of the Chancellor who pronounced them, then those great Men who are allowed to have been our very best Chancellors, and have been always so esteemed, would be proved to be the very worst; for never was there known to have been so many Appeals brought as of late Years, and yet never had we greater or better Lord Chancellors.

Upon the Whole, I entirely agree with our common Historians, that the Lord Chancellor Jefferys was a very ill Man: But I must beg Leave to differ from them when they call him a good Chancellor; for amongst all the Accounts that I have been able to gather concerning him, I have seen nothing that could induce me to believe him to be so: But I think our Author has plainly proved him to be otherwise, and therefore I am ready to subscribe to his

his Opinion, that Jefferys was not only avery ill Man, but that he was a very ill Chancellor also.

The Reader, when he considers what a disagreeable Figure the Lord Jefferys makes in this little Piece, and views Lord Mansfield in that beautiful Light he now appears, will readily concur with me, that a very amiable kind of Contrast might be drawn between them.

The one we find abounding with Pride, Positiveness and Ill-Nature; while in the other we fee nothing but Civility, Courtefy and a general Benevolence towards Man-The Former we find to have been a Slave to Avarice and Cruelty: But in the Latter we admire a Soul of Steadiness, of Tenderness and Compassion, and unbounded Generosity. This great Man, we know to be a Master in all the polite Arts and Sciences, to be an universal Scholar himfelf, and to be a Patron and Encourager of all Sorts of Learning, and of all Learned Men; while the other we find to have been only a vain and empty Pretender to these

these fine Qualities. We glory in the present Lord Mansfield as a firm Friend, and a steady adherer to the established Religion of our Country; but Chancellor Jefferys would rather have been a Friend to any Religion, than to that which he professed. This Man's Administration was one continued Series of foul Partiality and Corruption: But my Lord Mansfield's Prudence, Integrity and IMPARTIALITY, make him at once the Wonder and Delight of the Age. The very Name of Jefferys, became one of those Grievances that loft King JAMES the Hearts of his People; while the Name and Conduct of Lord Mansfield give much Lustre, and are an Addition to the many Bleffings that have accrued to us by the late happy Revolution. In Jefferys, we felt what an ill Man was, in Lord Mansfield we fee what a good Man is. The Former therefore, as he well deserved, was in every Stage of Life despised, treated with Scorn and Ignominy, and univerfally hated; while as the Reward due to the Latter's extraordi-

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nary Qualities, we see him as universally esteemed, respected, and affectionately be-loved.

I have detained the Reader too long from the Perusal of the Work I have been recommending, but as the great Worth of Lord Mansfield drew me to exceed the Limits of an Introduction to so small a Tract, I am sure every honest Englishman will excuse me, when he reslects that I have been offering my Tribute to the MERIT of so DISTINGUISHED a PATRIOT.

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Late Lord Chancellor Jefferys.

was born in Wales, and descended from an obscure Branch of a Gentleman's Family in Denbighshire: His Education was homely, such as the Country Schools could give him; and from thence, with the Addition of very little, if any, academical Learning, he was, at his Grandmother's Desire, sent to study the municipal Laws of the Kingdom in the Inner-Temple.

His Father, partly out of the Covetoufness of his Temper, but more out of the Narrowness of his Fortune, was hardly prevailed upon to contribute any Thing towards the Expence; and his Grandmother, tho' she did her utmost, was by no Means able to allow him such an Income, as the Dignity of his Profession, and the Company he was to keep, required; so that he no sooner found himself cut in the World, than he found himself put to his Shifts for a Subsistence in it suitable to his Station.

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His Parts were too quick, and he was in his Nature too volatile and airy, to acquire to himself by much Reading, the Character of a profound Lawyer. It better suited his Temper to spend his vacant Hours among the Ladies, and the gay World, and to content himself with such Instructions in Law, as the Proceedings of the several Courts, and the Conversation of the Men of Learning in the Profession, naturally gave him.

His first Appearance abroad was about the Time of the Restoration, and the the Current of the Nation then ran strong towards the King's Side, yet there was at that Time in the Kingdom, a vast many Malecontents, who took no small Pains, and used uncommon Diligence to encourage their Friends, to enlarge their Interest, and to support their

Caufe.

With some of these Jefferys happened to contract an Acquaintance, and by their Help he ingratiated himself with the Chief of the whole Party, who soon discovered him to have a pushing and forward Genius, and consequently, to be a fit Instrument to serve their Purposes.

He on his Part likewise soon perceived, not only their Fondness of him, but the great Advantage of their Patronage; for he had now no Reason to complain of the Scantiness of his Allowance. His Difficulties in Point of Fortune were no more, he sound him-

felf protected, encouraged, and cherished by them; and his Zeal and Gratitude prompted him to run the greatest Lengths in their Service.

His Zeal carried him to fuch a Pitch, that in his Hours of Jollity, he would be continually promoting all the treasonable male-contented Healths that were then fashionable; and he himself would always drink them upon his Knees to set the Example. In short, he was become their Champion, and was ever ready to talk, to write, nay even sometimes if he was well backed, to sight for them, as Opportunity offered, or Occasion required.

And as he was thus zealous for them, fo were they in Return no less zealous for him. He was by this Time called to the Bar, and therefore now they thought it not enough barely to support him; they looked upon him as a Person capable of making a Figure in Life, and they rightly judged, that of all Professions he was in the best, wherein a forward and bold Man might distinguish-himself: They therefore resolved to unite all their Friends, and all their Interest, to given him an Opportunity to exert himself.

Ingenium Velox, audacia perdita, sermo Promptus, & Isao torrentior.—

So strong a Confederacy in Favour of a Man so qualified, could not fail to answer the

Man of Consideration in Business, and was constantly employed in all Causes wherein

Party had any Concern.

There was no Man living had a better Forefight, or could judge better of Things relating to his own Interest, than Jefferys: And as he was at this Time at the Head of his Party, and in the Bottom of all their Secrets, he well knew their Strength and Power.

He visibly saw, that notwithstanding all the Efforts of his Friends, the Court Party daily gained Ground, and were perpetually contriving some new Projects intirely to crush their Adversaries: He therefore wisely considered, that tho' his Party had done all they could for him, yet that he might possibly be able to do still somewhat more for himself.

No Man had more Ambition, or regarded less what Methods he made Use of to serve his Purpose, than he: He had seen the utmost that his Friends could do for him, there ere no Preserments to be had on their Side; and tho' he saw Men of the Court Side, who had Qualifications much superior to his, yet he well knew that he had one grand one, which they had not.

---- Humanis quæ sit siducia rebus!

He had the Secrets of his Party in his Power, and so had good Reason to believe, that the revealing them to the Court would make make him a welcome Guest there, if he could but convince them that he was sincere, and in earnest, in the Discovery he should make. He was, however, sure that his Reputation in Business was so established, that he should need no Support, and therefore he determined with himself to make the Experiment.

He changed Sides all at once, without any Ceremony, and with very little Decency; and he judged very rightly of the Change he made: But he was not a little indebted to the Impetuosity of his Nature for the Credit he gained, and the Success he met with.

His old Friends foon perceived that he did not change by Halves: They who had intrusted, supported, protected and raised him from nothing, now found him not content barely to forsake and betray them; for he treated them without the least Injury or Provocation given him, not only as if they were his greatest Enemies, but as if they were the common Enemies of Mankind.

Scilicet horreres, majoraq; monstra putares.

How ill soever the World might judge of this his Conduct and Behaviour, he regarded it not: He soon sound the Benefit of the Change; and as for his Reputation in the doing it, that was beneath his Care; for he now looked upon himself as a Statesman, a Politician, and one that was to act upon Court Maxims. He had not, however, been long in the Court-interest, before an Accident happened that had like to have spoiled all his Projects; and that was the breaking out of the Popish Plot. It is amazing to consider what a Ferment that Plot raised in the Nation, and what Credit and Influence the Country Party gained by it. The Court was reduced to the lowest Ebb; all Things ran strong against them, and they had scarce a Man who had Courage enough to venture to stand in the

Gap to stem the Torrent.

Jefferys upon this Occasion was at the greatest Loss to know how to conduct himfelf: His Skill, his Craft, was never before put to so severe a Tryal: He would gladly have reconciled himself to his old Friends upon any Terms, and sometimes from the Knowledge he had of the Temper of many of them, he was not without Hopes of bringing it about. But then, when he reslected upon his late Behaviour towards them all in general, and his personal ill Treatment of many of them in particular, he despaired of Success, and gave over the Attempt.

Finding therefore that there was nothing left for him to trust to, or hope for, from his old Friends, he resolved to run all Lengths, and to undergo all Hazzards, and, in short, to live and dye in the Service of the Court, and in Support of their Measures.

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The Courtiers had never more Occasion for fuch Men as be, than at this Time; their Interest was very low, their Credit was quite sunk, and they had no Game to play, but what was very desperate: They knew his Talent well, and as they were continually wallowing in Mire themselves, they knew he would be most useful to them, when they had most dirty Work to engage him in.

They made him, as it were, the Bull-Dog of the Party, to bait and worry all fuch as were obnoxious to them, and came within their Clutches; and he acquitted himfelf so well in his Station, that tho' in an Harangue or two that he made of that Kind to do their Drudgery, he drew upon himfelf the Indignation and Resentment of the whole Kingdom in general; yet his Patrons were so well satisfied and pleased with his Performances, that in Requital and Acknowledgment of such remarkable Services, they made him Lord Chief Justice of England.

Criminibus debent hortos prætoria mensas, Argentum vetus & stantem extra pocula caprum.

It may easily be conceived what a Condition this poor Kingdom was in, when the Reigns of Government were in the Hands of a Man so qualified, so preferred, and so capable of any Mischief as he was; and it was not without Horror, that good Men saw the Lives

Lives of Englishmen, as it were, at the Nod of so abandoned a Wretch.

Things, however, in this Reign, went on pretty smoothly; he had no Opportunity given him by the then Government, bad as they were, to shew the natural Bent of his Temper. He was forced to lye quiet till the coming in of King James, and then the Cloven-Foot appeared, and he soon shewed

himself in his proper Colours.

In the first Year of that King's Reign, a Rebellion broke out, as well in Scotland as in England, which very much disturbed the Peace of both Kingdoms: It began to spread apace, and would have thrown the Government into unspeakable Convulsions, had it not been for their great Care and Vigilance, and feveral fortunate and lucky Accidents that happily concurred to put an End to it. This Rebellion being foon quashed, like all other unfuccessful Rebellions, ended in the Ruin of all its Contrivers and Promoters: The Rebels, where-ever they fled, or however they scattered themselves, were fooner or later, forced to furrender to the Mercy of the Court: and nothing now remained, but that the Justice of the Law might take Place against them.

Dira quod exemplum feritas produxerit

ævo.

Unfortunate it was for those poor Wretches, that Jefferys was at that Time Chief Justice; his Station gave him the chief Authority over them, and he had all the Power of the Crown added to it, to give the Laws their full Force: But much less Power would have served his Turn, for his Inclinations were strong, his Nature was cruel, and he was a Stranger to every Sort of Mercy but what proceeded only from his Avarice.

Clad with this Authority, he put it in Execution, in a Manner now pretty well known to all the World: Those that could buy Mercy, and pay the Price of it, had it; but those that could not, were forthwith hanged. This Work, however, foon grew tedious to him; he had not Patience to try fo many Hundreds of them in the common and ordinary Manner, and therefore to fave his Time and Trouble, he was forced to have Recourse to Stratagem. He hinted to them, that the only Way for them to hope for Mercy, would be to plead Guilty; that there was full Evidence against them all, and therefore that as many of them as infifted upon their Tryals, should, as fast as they could, be convicted forthwith and fuffer.

This Project had the defired Effect, for the poor deluded Wretches took hold of the Hint, and in Hopes of Mercy, pleaded guilty

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by Scores at a Time; nay even many of those against whom there was no legan Evidence, yet being conscious of their own Guilt in Hopes of Mercy, pleaded Guilty likewise; and yet all these without any Regard had to the Intimation given them, if they had not Money to purchase their Redemption, were in a most insulting and barbarous Manner either hanged, or sent as Slaves to the West-Indies.

Quid memorem infandas cædes? quid facta

Effera? Dii capiti ipsius genertque reservent.

In the Court of King's-Bench, his Partiality and his Cruelty, were every Day more and more conspicuous: The Ministry were always in the right, and whoever opposed them was fure to be in the wrong: There was not a Corporation in the Kingdom could stand its Ground against him; he treated all that were brought before him, not as if they were to expect any Justice from him, but as if they were his own private and particular Enemies; and all Mankind he treated with such a haughty and supercilious Air, as was not to be endured.

Such a Judge was fit only for the corrupt Times he lived in, such Times as a good Man would dread to see; for at that Time ther was scarcely one Man of Honour in the whole Ministry: The Friends of our old Religion and Laws were every where flighted and discountenanced, and none but the professed Enemies of both were then in Favour.

In fuch Times as these it is not to be wondered, that such a Man as Jefferys should please his Patrons, tho' he pleased no body else; and it was not long before they gave him signal Marks of their high Approbation of him; for as a Token of their grateful Acknowledgments of his great Services, they made him a Lord while yet a Judge; an Honour that had not been given to any of his Predecessors, except in one or two Instances upon very uncommon Occasions, and to Persons of the highest and most distinguished Merit.

Jefferys was now in the Height of his Power and Grandeur, when a Vacancy happened for the great Seal, and he was pitched upon to supply that Vacancy. It was given him with the greatest Affection, and the highest Compliment; but it was not without some Unwillingness and a seeming Difficulty, that he was pleased to receive it; and some say he had Dexterity enough to oblige the Court to give him a good round Bill to induce him to accept of it.

Quales ex humili magna ad fastigia rerum Extollit, quoties volunt Fortuna jocari.

The Court of Chancery, now without just Cause, had very terrible Apprehensions when they saw this Man sent to preside over them:

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They had feen and observed enough of his Behaviour while he was Chief Justice, to make them justly dread his coming amongst them; and it was not long before he an-

fwered their Expectations to the full.

We have now brought him to the Summit of all his Glory, as Lord High Chancellor of England, and fince in that Station he gave full Scope to all his Passions and Inclinations, it may not be amiss, if not for the Readers Instruction, yet at least, for his Diversion, to be somewhat more particular in the Account of his Conduct and Character.

It hath been often said, and perhaps not without good Grounds, that the Court of Chancery two or three hundred Years ago had no such Authority and Preheminence, as for several Years past it hath constantly laid Claim to, and enjoyed; nay, I think my Lord Chief Justice Coke hath some where given it as his Opinion, that it was originally no more than the Officina Justice, the Shop to make out Writs, and other Process for the Use and Service of the common Law-Courts.

Be that as it will, we all know, that at least for these hundred Years last past, it hath had the Superintendency and Controul over all the Courts in the Kingdom; and many Reasons have been given for such prodigious Increase of its Authority, and for the Conveniency and Necessity of it. But if that old Maxim

Maxim be a just one, that Boni Judicis est ampliare Jurisdictionem; that alone will

fufficiently account for it.

Jefferys, tho' he wanted almost every Qualification necessary to make a good Judge, yet he thoroughly understood that Maxim, and practised it; and carried it, perhaps, further in his Reign, than all his Predecessors put together had done before him: He carried it so far, as to make even the Judges themselves of the Courts of Law, ministerially to obey the common Orders of the Court of Chancery.

What is meant by this, will better appear from the following remarkable Instance which happened in the Court of Common-Pleas, when Sir Thomas Jones was Chief Justice there. He was a good Judge, and a grave and learned Man, who wanted no due Affection for the Court, nor yet that Courage and Integrity that is necessary for the impartial

Administration of Justice.

Temporibus diris, tractanda putabat inermi Justitia. — — — — — —

Jefferys in the Court of Chancery directed, that a feigned Issue should be tried at Law, which was accordingly tried at the Bar of the Court of Common-Pleas; and after a full hearing, there was a verdict for the Plaintiff, agreeable to the Opinion of the Chief Justice

Justice, and the whole Court. The Defendant soon after applied to the Court of Common-Pleas for a new Trial, fuggefting that some of the Jury had been tampered with. The Court well remembering the Circumstances of the whole Trial, and that the Verdict was obtained according to their Direction, and upon the fullest Evidence, and judging that the Suggestion was not sufficiently supported, they looked upon the Motion as trifling, and intended only for Delay, and therefore unanimously refused to grant it. But the Cause being of some Consequence, the Defendant notwithstanding this Rebuff, applies to the Chancellor for the same Thing, fuggesting only the very same Reason; and he to shew his Authority, and Contempt of the Proceedings of the Common-Pleas, very roundly ordered a new Tryal, not without many indecent Reflections upon the Conduct of that Court, as if they had not been sufficiently careful in their Distribution of Justice: and tho' that Court had already determined the Matter otherwise, as being a Point peculiarly under their Cognizance, and of which they were the proper, and undoubtedly the best Judges; yet they were forced to submit, and try it over again.

Stat contra, starique jubet, parere necesse est.

But this new Trial served only to shew the Petulancy of the Chancellor, and to give the the Plaintiff an Opportunity of offering some new additional Evidence, which made his Case ten Times clearer and stronger than it was before.

The then Master of the Rolls was a Man as remarkable for his good Nature, Integrity and Sincerity, as the Chancellor was for the Want of all these Virtues; and when two fuch Judges meet in one Court, it is not to be wondered if they clash and disagree. The Chancellor was not only perpetually reverfing the Masters Decrees, and discharging even his common Orders of Course; but he fet up some venal Officers of his own, Persons of no Learning, Credit, or Consideration; to contest the Master's Authority, and to affront and infult him in the public Execution of it. But the Master wanted not Courage to stand his Ground, he was well apprifed of his own Authority, was refolved to maintain it, and he did so, and baffled all the Chancellor's Projects.

He behaved himself towards the Council attending that Court, with such an Air of Haughtiness and Insolence, as was insupportable. Those Gentleman are for the most Part descended of very antient and honourable Families, that are possessed of some of the best Estates in the Kingdom, and are generally educated in the best and politest Manner. Their Profession improves their Education, and teaches them all those Quali-

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fications that render a Man as well a complete Gentleman, as a Man of true Honour.

The Chancellor knew this well, and saw at his own Bar the most shining Part of the whole Body; and thro' he owed all his Education and present Grandeur to the Profession, as being by his Birth, Fortune and Country Improvements, but barely able to call himself a Gentleman; yet thro' a certain Insolent Cast in his Nature, he could not forbear treating even the best of them, with the utmost Indecency and Rudeness.

In that Court there are frequently heard Causes of very great Consequence, wherein fix, eight, or ten of the best Council are often retained of a Side. The Client expects that each Council should do somewhat for his Fees, and it is almost impossible for those who come last to avoid repeating some Part of what had been urged by those who had fpoke first, tho' perhaps not without the Addition of a great many new, and and very material Circumstances of their own; 'yet this to him was troublesome, it was impertinent, he could not bear it, it was all Repetition, and therefore he would not hear it;' and he would often upon the Occasion let himself loose into such Sallies of Passion, as rendered him very ridiculous to the whole Audience: Nay, he has fometimes carried it so far, that he has been forced as meanly to beg Pardon, as he had scandalously given the Affront.

How unlike to all this was the Behaviour of a late Chancellor, one of his Predeceffors; who when fix or feven Council in a Cause of Consequence, had been long and largely heard to what was understood to be a bare Motion of Course; a young Gentleman, the Ornament of the Bar, of his Country, and of the Age, stood up, and faid; 'That he was of the same Side, but that so much had been already said, that he had no Room to add any Thing; that therefore he would not prefume to take up 'his Lordship's Time, by repeating what ' had been fo well urged by the Gentlemen that went before him'. The Chancellor with a Grace and Goodness peculiar to himfelf, said; 'Sir, pray go on, I sit here to 'hear every body; you never repeat, nor will you take up my Time, and therefore 'I shall hear you with Pleasure.'

Semper honos, nomenque tuum, laudesque manebunt.

A Chancellor that could use the Council so roughly, could not be supposed to treat the Suitors of the Court with any great Decency. It was remarkable in him, that he always chose rather to bear himself speak than any body else, and that made him very often run away with the Client's Cause, before he understood what it was: and when that happened to be the Case, it was talking to

the Wind, to endeavour to bring him back: Whether he took the Thing right, or whether he took it wrong, it was all one, there was no stopping of him; for he took so much Delight in harangueing, and running Divisions upon the Subject, that he would bear no Contradiction. And when he had spoke as long as he thought sit in a Strain of false Eloquence to clear the Point, it frequently served for no other Purpose, than to convince those that were concerned in the Cause, that he knew nothing at all of the Matter.

Et sua mortifera est facundia.

And when the poor injured Suitor, who was unacquainted with the Violencee of his Temper, would endeavour with great Modesty and Deference to point out the Chancellor's Mistake, and set him right, instead of doing himself Justice by it, he generally made his Case ten Times worse, for the Chancellor was above Mistakes: It was the Height of Impudence and Insolence in any Man to suppose it; and it was enough to startle even a very resolute Man, if he had any Awe of the Court upon him, to hear the Threatnings, the Severity, and Extravagancy of the Chancellor upon such Occasions.

How ill qualified soever he might be in other Respects for the high Office he bore, there

there was, however, one Branch of it that he full well understood, and that was the Value of his own Office, and the feveral Offices under him that were in his Disposal. His Heart was so bent upon getting an Estate, that he steered all his Actions to that one Point.

Prima fere vota & cunctis notissima templis Divitiæ ut crescant & opes.

He not only fold all his inferior Offices, but even judicial Offices, and fold them too in fuch a Manner, and at fo extravagant a Rate, that at length he found it Matter of great Difficulty to get Purchasers to treat with him; and the better to raise and keep up the Price of these several Offices, he was necessarily obliged to enlarge their Perquifites, as well as their Priviledges. This he did with all the Art and Dexterity that his Invention could contrive; and he fucceeded fo well in it, that fome of these Offices he actually fold for full five Times their usual Price; nay to encourage Men to traffic with him, he would even forego the common Impetuofity of his Nature, and endeavour to shew Courtesy and Kindness, tho' he was in Reality a Stranger to both. In short where Money was to be had, their was nothing he would not do to get it, for his Avarice knew no Bounds.

Sed

Strangulat.

It was somewhat extraordinary, that a Man so covetous should be withal so proud: His Pride was of the worst Sort, and made him look very aukward whenever he affected State and Grandeur; for there was such a wrong Cast in his Countenance, that he never looked natural, but when he was transported either with Joy or Fury.

There was at that time a Lawyer of great Parts, who had acquired to himself a large Fortune, as well as great Reputation and Honour by his Skill and Eminence in his Profession, and this Man and the Chancellor rivalled each other; they were mortal Enemies, and were looked upon to be the two proudest Men in the Kingdom.

The other's Talents were certainly far superiour to the Chancellor's, as his Pride exerted itself upon quite different Objects: His arose from a Consciousness of his own superior Genius to the rest of Mankind; he never considered Man with Regard to his Dignity or his Fortune, but with Regard only to the Faculties of his Mind: and therefore it was that he thought no Man his Superior, and would hardly allow any Man to be his equal. He treated the Great, Vulgar, and the Small alike, unless with this Difference, that the latter were often

often the Objects of his Generolity, or his Pity; when the former were only the Ob-

jects of his Contempt and Scorn.

But the Chancellor's Pride proceeded from his Authority and Power; he shew'd it only to his Inferious, and they were always sensible of it, because it was always grievous and intollerable to them; whereas to great Men and Courtiers, no Man fawned and cringed more than he, or was more obsequious,

Si bene ructavit, si rectum minxit amicus,

Patience in a Judge is a Cardinal Virtue, but our Chancellor was a Stranger to Patience, and to the very Appearance of it. This he manifested to all Mankind by every Instance of his Conduct from first to last: he suffered his Passions to hurry him away with such ungoverned Rage and Fury, that whoever stood in his Way were sure to suffer by him. He was the MOST ARBITRARY MAN BREATHING, and so positive, that he would never be prevailed upon to undo what he had once done, even the was convinced he was in the wrong.

— — — — Dira & fædior omni Crimine persona. — — —

He once made an Order, that a Solicitor should give an Account before a Master uron Oath, of all the Writings and Papers in the feveral Causes wherein he had been concerned for his Client. The Solicitor attended the Master, and acquainted him that he had already delivered several of the Papers, to his Client, which were not then in his Power, and of which he had kept no Memorandum, nor could he by any Means recollect what they were; That he was ready to make Oath of the Truth of this, and ready likewise, as far as was possible, to pay Obedience to the Order. The Mafter judging that he was confined by the Order, infifted upon a punctual Obedience to it; and because the Solicitor could not comply, he made his Report against him. The Solicitor thereupon applied to the Court, fetting forth the Hardships of his Case upon Oath, and offering to go before the Master, and to obey the Order in such Manner, as the Master should certify the Circumstances of his Case would admit of: The Chancellor called this trifling with his Order, and a Contempt of it; for which, tho' the Solicitor was a Man of Reputation and Credit in Business, he was committed a Prisoner to the Fleet.

About half an Hour afterwards, when the Chancellor was upon other Business, he called to the Register, and ordered that

the Master should settle in what Manner the Solicitor should pay Obedience to the Order; upon which the Soliciter's Council stood up and faid, that That was all that he was instructed to ask for his Client; and fince the End of his Motion was granted, and fince his Client had already offered that, and had always been ready to perform it, he hoped the Order for his Commitment should be discharged. The Chancellor angrily anfwered; Sir, I make no new Order, I only add to what I have already pronounced. And thus the poor Man was fent to the Fleet, for not doing that which the Chancellor himself admitted was impossible to be done.

The Warden of the Fleet in this Man's Chancellorship had a fine Time of it; for he delighted much in Commitments. There was no Age, Rank, or Sex, could escape him; he committed Ten for every one that any of his Predecessors ever had done, and this he did, not so much to punish for real Crimes, as out of a certain, uncouth and cruel Petulancy of Temper, that made him in these Humours inslict his Punishments at Random, without Regard either to Persons or Crimes: For there were Instances of his committing even Council themselves for Errors only in their Judgment, when no Man of Understanding erred oftener than he.

-Sed quid violentius aure tyranni,

There was but one Way of getting any Favour, or even common Civility from him, and that was by flattering him; and as this was a Method no Man of Honour would stoop to, his Favours (if he ever bestowed any) were engrosled by Sycophants, and such as could descend low enough to merit them. As a Man of Sense, he was of all Mankind the most subject to Flattery, and the most easily imposed on that Way; and the grossest and most sulforme kind of it, and such as any other Man upon Earth would have understood as the highest and grossest Affront, he would not only bear, but take Pleasure in.

— — — Nihil est quod credere de se Non possit, cum laudatur Diis æqua potestas.

This strange Inclination in him to be slattered, which probably might be owing to the Narrowness of his Education, made him appear, in the Eye of Men of Taste and Learning, very ridiculous and contemptible.

His Flatters found out that the only Way to get from him those Favours which they knew were not otherwise to be obtained, was to praise him to the World for his great

great Skill and Abilites in Matters of which he was intirely ignorant: And therefore it was that these Men were generally observed to be laughing in private at his Vanity, while at the same Time they were publickly loading him in Print with Dedications of such a Fustian Kind, as no Mortal but himself would have endured.

I have already observed that our Chancellor came, as it were, out of a Country School into the Temple to study the Law, and that his Fortune was even too narrow for the common Conversation of the Place: Whatever therefore his Inclinations might have been, he was not able to perfue Studies of a politer Kind; and when afterwards he listed himself into the Service of a Party, Business came in upon him so fast, that he had not Leisure to engage in them.

And yet he took all Opportunities to persuade the World to believe that he was endued with all those Accomplishments that even Art itself could teach him: And for this Purpose, he would among Persons whose Education lay not that Way, with much Ease, and great Volubility of Speech, solve all difficult and knotty Points in Philosophy, the Mathematicks, and what not; and would particularly delight in pointing out and correcting the Errors of the most eminent

E

Artifts

Artists of his Time, in their several Professions.

But as he was in Reality no more than a shallow Pretender to any of those fine Qualifications, when his Solutions came to be repeated at second Hand, and considered by Men of Skill, it served only to expose his Vanity, and to give those Wretches that used to flatter him a further Opportunity by their sulsome Compliments to gain their Ends of him.

He might justly be said to have been a very unsair Combatant, for he would never be brought to enter the Lists with equal Weapons: tho' he was hugely delighted with Panegyricks from the Press yet he was a mortal Enemy to the LIBERTY of it; and whenever he thought he had received an Injury from THAT QUARTER, he would never be prevailed upon to FORGIVE it.

He had indeed, rather the Soul of a Woman than a Man in him; for Revenge was his darling Passion, and he persued it with great Violence; and as this pointed him out to the World for a Coward, so it drove him upon those brutal Acts of Cruelty, as will render his Memory infamous to latest

Posterity.

A Chancellor thus impatient, thus pofitive, thus furious, thus abusive, thus cruel, thus covetous, thus arbitrary, thus proud, baughty, imperious and insolent, and yet withal, withal thus abject, could not but put Men in Mind of those two great Men that filled that Station before him, so much to their own Honour, and to the Satisfaction of the

the whole Kingdom.

The former of these was not only the Darling of the Bar, and the Darling of his Country, but he was the Darling of Mankind. He had so much Gravity, and yet so much Grace and Sweetness in his Countenance, as at once commanded our Affection and Esteem; But then the Beauties of his Mind were inconceivable, and forced from every one he had to do with, a Tribute of the most profound Respect and Veneration.

As an additional Lustre to the Beauties of his Mind and Body, he had an Elocution than was wonderfully easy, elegant and graceful: This was a Blessing of Nature that seemed to have been born with him, for he could not help displaying it in every common Occurrence of Life.

Happy was the Person that had the Honour to enjoy even the least Share of his
common Conversation. There was something in his familiar Discourses so inimitably
melodius, so sublimely edifying, and at the
same Time so surprizingly delightful, that
if there was any Happiness in this World
worth a wise Man's seeking, it would be, to

have been always entertained with this great

Man's agreeable Company.

If we follow him from his Family to the Bar, there we shall find that never was Rhetorick in the Management of so enchanting a Persuader; if we follow him from thence to the Senate house, there we shall find that never was Logick in the Management of so convincing a Reasoner: Even Truth itself, since the Days of Revelation, never appeared with so much Strength and Vigour, and yet so amiably, as in the easy and unaffected Manner with which he always chose to deliver it.

It was finely faid of him, That his Eloquence might very properly be compared to Lightning; That it was divinely beautiful, and yet powerfully strong; That it gilded and adorned whatsoever it touched upon; but that it beat down every thing that opposed it.

To make him completely the Man he was, there seemed to have been a Combination of Art and Nature: His Learning was as universal as his Temper was benevolent: His Mind seemed to have been a Treasury stored with all that Knowledge natural and acquired, that necessarily makes a Man great

and good.

If we confider him as a private Gentleman, if we confider him as an Advocate, as a Senator, a private Councellor, or a Chancel-

lor:

lor: He acted in all these different Parts with so much Ease, and so naturally, that he seemed as if he were born for all of them in general, and for each of them in particular. But then if we consider his particular Qualifications as a Chancellor, we shall find him in every Instance the very Reverse of the Man we are now speaking of.

No Man supported the Dignity of his Office, or became it better, or had more Respect and Duty paid him in it than he. This he procured not from the severity, but from the Amiableness of his Nature; and it was the Effect of Love, and not of Fear, that

Men paid him Homage.

He was the Mirror of Patience, and therefore a fit Pattern for all Judges that shall come after him; not only for the Council, but even the Solicitors, Suitors, and, in short, every Body that had any thing to offer, he patiently and favourably heard before he determined; and when he had pronounced his Judgment, he sent all Parties away satisfied, because he sent them away convinced that he had done them Justice.

He was the most courteous, the most affible, and the meekest man alive, and as free from Covetousness as he was from Pride; there was not the least Tincture of either in his whole Composition, and though from the great Offices he passed through, he could not avoid to improve his Estate very confiderably; yet he did it without Envy, because he did it honestly, nor did he get any thing, until he had deserved every thing.

He was never feen angry: That unruly Paffion was a Stranger to his Breaft; and whenever the Duty of his Office required him to be fevere, it was always to Crimes, and not to Persons. He was too great a Lover of Mens Liberties and Properties, to take delight in Commitments and Imprisonments; and that Course he never took, except in Cases where he found an obstinate and determined Defiance, and Infult upon his Authority. His Method rather was to shame Men into a Consciousness of their Errors, by exposing the Deformity and Ugliness of them, and the Offender at the same Time that he saw his Fault pointed to him, faw the Goodness and Tenderness of the Chancellor in the Manner of the Censure: This certainly was the best and most effectual Way to restrain common and ordinary Offences.

Bleffed with these Endowments, it is no Wonder that he passed through all the stormy Times he lived in, with such a Calm and Quiet to himself, as if all had been Sunshine; and however the contending Parties might be quarrelling with each other, even to cutting one anothers Throats, or tearing out each others Bowels, yet all looked upon

upon him as their common Father, and without Distinction, sought for Refuge from him.

Such a Man was too Good to live out the Age of Man among us; so abandoned an Age deserved not such a Man in it. He died as he lived, beloved, esteemed, admired and his Death universally lamented: But his Name and Memory will be honoured whilst there is a Man lest, that has the least Regard, either for the Laws, the Liberties, the Properties, and the Constitution of this Kingdom, or any of those private Virtues that grace and adorn human Life.

In a Word, whoever would propose by his Conduct, in any Part of civil Life to do himself good, to do his Country good, and to do the World good, to gain an universal Applause and esteem here, and a Name and Honour that will endure for ever, need only keep the Example of this unparalleled Chancellor constantly in View: Let him but endeavour to be what this great Man was, and

he needs no more.

Nulla dies unquam memori vos eximet ævo.

But to return to the Chancellor we have been speaking of, after the Account here already given of him, it may be thought impertinent to add any thing with Regard to his Principles, either in Religion or Politicks. ticks. But fince great Stress has been laid upon his Principles in those Points, as they were a sufficient Ballance against all his other ill Qualities; it will not be amis to touch

lightly upon them.

As to his Politicks, notwithstanding all the Noise and Pother that he and his Sycophants have made of his Zeal for the Government; it is plain from his many Tergiversations, that he acted upon no other Principle than that of Interest; and if he could have found a better Account in the Service of the Republican Party, than in that of the Royal Cause, he would have chosen the former rather than the latter.

It is true indeed, he professed himself a Member of the Established Church of England; but it is as true that he was no more than a bare outward Professor. Nay, it plainly appeared from the whole Tenor of his Behaviour, that if he was any Thing, it was somewhat which was the very Reverse of what he professed; for he was a constant and steady Persecutor both of the Church and Churchmen; while Men of any other Religion, or rather of no Religion at all, for no other Reason than their being so, were oftentimes caressed and cherished by him.

Thus went our Chancellor successfully on for several Years together in the uninter-

rupted

rupted Enjoyment of that unlimited Authority, which by the Constitution of our Country had been entrusted with him, all the while wantonly rioting himself in the most extravagant Abuse of it, as well to the great Terror, as to the unutterable Grief of

the whole Kingdom.

But at Length a happy Dawn of Deliverance appeared; his Reign was discovered to be drawing towards a Period, and it was seen and observed with Pleasure. That Ferment that grew so fast, and in so uncommon a Manner throughout the Kingdom, was in a great Measure owing to the many Enormities and gross Mismanagements that he had been guilty of during the Course of his Administration; and not only brought on his Ruin, but occasioned the wonderful Revolution that soon after ensued.

Ut rebus lætis par sit mensura malorum?

Jefferys, tho' he was not the only evil Minister complained of, was as deep as any in the Intrigues of the Times, and had been as bad a Minister, as he was a Chancellor; and therefore after the happy Revolution had taken Place, could expect nothing less than to be given up to the publick Resentment. He deserved no Favour, and could hope

hope for no Mercy; Mercy to him would have been Cruelty to the Publick: As conscious therefore of his Guilt he fled, but before he could get out of the Kingdom he was taken, and had like to have been made a Sacrifice to the Fury of the Rable, before they could get to a Magistrate to secure him for Justice.

At fessi tandem Cives, infanda furentem Admati circumsistunt, ipsumq; domumque, Atque ad supplicium presenti Marte reposcunt.

He was committed to the Tower, where he died foon after in great Rage and Fury, as well as in great Pain and Agony; and thus he died as miserably as he had lived, angry with every Body, because he had offended every Body, neglected, unfriended, unpitied, and unlamented and his Memory detested by all Mankind.

Providence that permitted him to acquire fo much Wealth and Grandeur in so short a Time, and in so corrupt a Manner, would have been too indulgent to him, if he had permitted the same to continue long in his Name or Family. He left only one Son, and with him ended the Name, the Honour, and the Estate; and this in so short

a Time, that some of those very Servants who had lived with the Chancellor when he was hardly worth a Shilling, and lived to see him acquire an Estate of at least twelve Thousand Pound a Year, continued still in the Family, till the whole was spent and squadered.

—— Qui nimios obtabat honores Et nimias poscebat opes, numerosa parabat Excelsæ turris tabulata, unde altior esset Casus, & impulsæ præceps immane ruinæ.

So, O Lord, let all thine Enemies perish.

Perfon

Person and Character

OF

JUDGE JEFFERYS.

E was rather above the middle Stature; his Complexion fair; his Face well enough, tho' mixed with an Air a little Malicious and Unpleasant. He was a Man of tolerable Sense, and had by long Practice acquired fome tolerable Knowledge of the Law; tho' as little as 'twas, more than he had Occasion to make use of. He had a pretty large Stock of Ill Nature and Wit, in which lay his greatest Excellence, tho' a very unenvied one. But in short, his Brow and his Tongue, were the two best Accomplishments he was Master of .- By the Help of which he fometimes put Falfhood, but more frequently Truth out of Countenance.

He spoke many pleasant Things but very few handsome ones, disgracing his Wit by his intollerable Railing and mean Paffions, and would frequently even upon the Bench itself, fall into such Heats as were not only unworthy of a Judge, but even of a private Man. To do him Justice, he had a great deal of Baseness and Cruelty in his Nature, having a particular Delight and Relish in fuch Things as give Horror to the rest of Mankind. He was in this Case worse than even Nero; for whereas that Monster had once so much Good Nature, or at least pretended it; that when he was to Sign a Warrant for the Execution of a Malefactor. he is faid to have wished he had never learned to Write; Jefferys on the contrary, then only seemed in his Element when in the midst of Destruction and Murder,

baralagne care, langracing his twice

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LIST of the PERSONS

WHOWERE

Condemned and suffered in the West of England, under the Sentence of Lord Chief Justice Jefferys, in the Year 1685, with the Names of the Towns where every Man was executed.

Bath 6.

W Alter Baker Henry Body Gerrard Bryant

Thomas Clotworthy Thomas Collins John Carter.

Philipsnorton 12.

Robert Cook
Edward Creaves
John Caswell
Thomas Hayward
John Hellier
Edward Beere

Henry Portridge George Pether Thomas Peirce John Richards John Staple John Smith.

Froome

[47]

Froome 12.

Francis Smith
Samuel Vill alias Vile George Hasty
Thomas Star
Philip Usher
Robert Beamant
William Clement
Tohn Humphrey
George Hasty
Robert Man
Thomas Pearle
Lawrence Lott
Thomas Lott.

Bruton 3.

James Feildsen Richard Bole. Humpbrey Braden

Wincanton 6.

John Howel William Holland
Richard Harvey Hugh Holland
John Tucker Thomas Bowden.

Shepton-Mallet 13.

Stephen Mallet
John Hildworth
John Gilham, Jun.
Giles Bramble
Richard Chinn
William Cruise
George Pavier
John Hildworth
John Ashwood
Thomas Smith
John Dorchester, Sen.
John Combe
John Groves.

Pensford 12.

Roger Cornelius
John Starr
Humphry Edwards
William Pierce
Arther Sullway
George Adams.
Henry Russel

George Knight
Robert Wine
William Clerk alias
Chick
Preston Bevis
Richard Finier.

Wrington 3.

Alexander Key David Boyse

Joshua French.

Wells 8.

William Mead Thomas Coade Robert Doleman Thomas Durston John Sheperd Abraham Bend William Durston William Plumley:

Vivelscomb 3:

William Ruscomb Thomas Pierce

Robert Combe.

Tuton upon Mendip 2.

Peter Prance

William Watkins.

[49]

Chard 12.

Edward Foote
John Knight
William Williams
John Gervis
Humphry Hitchcock
William Godfrey

Abraham Pill
William Davy
Henry Easterbrook
James Dennett
Edward Warren
Simon Cross.

Crookern 10.

John Spore Roger Burnoll William Pether James Evory Robert Hill

Nicholas Adams Richard Stephens Robert Halfwell John Bushel William Lashly.

Somerton 7.

William Gillet
Thomas Lissant
William Pocock
Christopher Stephens

George Cantick Robert Allen Joseph Kelloway.

Yeovil 8.

Francis Foxwell William Johnson
George Pitcher Thomas Hurford
Bernard Devereax Edward Gillard
Bernard Thatcher for Oliver Powel.

concealing Bovet.

[50]

Netherstoe 3.

Humphrey Mitchel Merrick Thomas.
Richard Culverell

Dunster 3.

Henry Lackwell William Sully John Geanes

Dulverton 3.

John Basely Henry Thompson. John Lloyd

Bridgewater 12.

Robert Fraunces

Joshua Bellamy

William Moggeridge

John Trott

John Hurman

Roger Guppey

Robert Roper

Richard Harris

Nicholas Stodgell

Richard Engram

Richard Engram

Roger Guppey

Roger Hore

Isaiah Davis

Ratcliffe-Hill at Bristol 6.

Richard Evans Edward Tippot John Tinckwell Philip Cumbridge Christopher Clerk John Tucker alias Glover

Illmnister 12.

Nicholas Collins, Sen. John Parsons
Stephen Newman Thomas Trocke
Robert Luckis Robert Fawne
William Kitch Western Hillary
Thomas Burnard John Burgen
William Wellen Charles Speake

Stogerfey 2.

Hugh Asbley

John Herring,

Wellington 3.

Francis Priest Philip Bovet Robert Reed.

Southpetherton 3.

Cornelius Furfurd Thomas Davis.
John Parsons

Porlock 2.

James Gale

Henry Edny.

Glasenbury

[52]

Glasenbury 6.

John Hicks Richard Pearce Israel Briant

William Mead James Pyes John Broome

Taunton 19.

Robert Perret
Abraham Ansley
Benjamin Hewling
Abraham Matthews
William Jenkins
Henry Liste
John Dryer
John Hucker
Jonathan England
John Sharpe

Peirce Murren
John Freake
John Savage
William Deverson
John Williams
John Patrum
James Whittom
William Satchel
John Trickey

Langport 3.

Humphrey Peirce Nicholas Venton John Shellwood

Arbridge 6.

Isaac Tripp Thomas Burnell Thomas Hillary John Gill, Senior Thomas Monday John Butcher

[53]

Cutherston 2.

Richard Bovet Thomas Blackmore

Minehead 6.

John Jones alias Evens Hugh Starke Françis Barlett

Peter Warren Samuel Hawkins Richard Sweet.

Evilchester 12.

Hugh Goodenough Samuel Cox William Somerton John Masters John Walrand David Langwell

Osmond Barret Matthew Cross Edward Burford John Mortimer John Stevens Robert Townsden

Stogummer 3.

George Hillard John Lockstone

Arthur Williams

Caftlecary 3.

Richard Alb Samuel Garnish

t-

Robert Hinde

Milton-port 2.

Archibald Johnson James Maxwel.

Keinsham II.

Charles Chepman Richard Bowden Thomas Trock Lewis Harris Edward Halfwell Howel Thomas

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-notlika

George Badol
Richard Evans
John Winter
Andrew Rownsden
John Phillelrey.
Suffer'd in all 239

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FINIS,

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